

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, NOVEMBER 16, 2011**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, November 16, 2011** in Committee Room #2, at 9:40 a.m.

The following members were present:

**The Honorable Aaron Watson, Chair  
The Honorable Ivory Lee Young, Jr.  
The Honorable Howard Shook  
The Honorable Carla Smith**

The following Councilmembers were absent:

**The Honorable Keisha Lance Bottoms  
The Honorable Cleta Winslow, Vice Chair  
The Honorable Kwanza Hall**

Others present at the meeting were: Director Charletta Wilson-Jacks, City Attorneys Jeffery Haymore and Lem Ward, Law Department; and members of the public and Council staff.

- A.    ADOPTION OF AGENDA – ADOPTED AS AMENDED BY ADDING ONE  
PIECE OF LEGISLATION**
- B.    APPROVAL OF MINUTES - APPROVED**
- C.    ORDINANCES FOR SECOND READING**

11-O-1417 ( 1)    An Ordinance by Council members Michael Julian Bond  
**U-11-34/U-75-30** and Ivory Lee Young, Jr. **as amended by Zoning**  
\*\*\* **Committee** to amend U-75-30, adopted by the City  
Council on December 15, 1975 and approved by  
Operation of Law on December 23, 1975 per Section 2-  
403 of the 1974 Charter granting a Special Use Permit for  
the purpose of a Mausoleum Administration 'Building  
expansion for property located at **2275 Simpson Road,**  
**NW (A.K.A. 2275 Joseph E. Boone Boulevard, NW)**; and  
for other purposes.

**FAVORABLE AS AMENDED**

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**C. ORDINANCES FOR SECOND READING (CONT'D)**

11-O-1592 ( 2)      An Ordinance by Zoning Committee to amend Ordinance  
**U-83-9**                      U-83-9 as adopted by the City Council on July 5, 1983  
and approved by the Mayor on July 6, 1983 for the  
purposes of approving a Transfer of Ownership for a  
Special Use Permit for a Group Home for property located  
at **827 Pryor Street, SW**; and for other purposes.

Councilmember Young made a motion to approve. The  
vote was unanimous.

**FAVORABLE**

11-O-1593 ( 3)      An Ordinance by Zoning Committee to amend Ordinance  
U-70-54 as adopted by the Board of Alderman on  
November 2, 1970 and approved by the Mayor on  
November 6, 1970 for the purposes of approving a  
Transfer of Ownership for a Special Use Permit for a Day  
Care Center for property located at **1699 Westwood  
Avenue, SW**; and for other purposes.

Councilmember Young made a motion to approve. The  
vote was unanimous.

**FAVORABLE**

**D. ORDINANCE FOR FIRST READING**

11-O-1686 ( 1)      An Ordinance by Zoning committee to grant a Special Use  
**U-11-42**                      Permit pursuant to Section 16-06.005(l)(b) for a Daycare  
Center, property located at **260 West Lake Avenue, NW**,  
approximately 132 feet on the west side of West Lake  
Avenue and approximately 373 feet northwesterly of the  
intersection of Ezra Church and West Lake Avenue.  
Depth:                      Varies  
Area:                          Approximately 0.489 Acre  
Land Lot:                      147, 14<sup>th</sup> District, Fulton County, Georgia  
Owner:                          GBG Management Company  
Applicant:                      Lashana T. Glasper  
**NPU-J**    **Council District 3**

**FAVORABLE - TO BE REFERRED TO ZRB AND ZONING  
COMMITTEE**

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### E. PAPERS HELD IN COMMITTEE

10-O-0013 ( 1)  
**Z-07-113**

An Ordinance by Councilmember Aaron Watson **as substituted and amended by Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue. **(Substituted as amended and held 1/13/10 at the request of the District Councilmember)**

Depth: Approximately 1,010 Feet  
Area: Approximately 10.32 Acres  
Land Lot: 42, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: JWGST LLC/Joseph Wiles  
Applicant: Jason Fritz

**NPU-Y** **Council District 1**

**HELD**

10-O-0035 ( 2)  
**U-09-22**

An Ordinance by Councilmember Aaron Watson granting a Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (l) (b) for property located at **3751 Martin Luther King, Jr. Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road. **(Held 1/27/10 at the request of the District Councilmember)**

Depth: Varies  
 Area: Approximately 5.8 Acres  
 Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
 Owner: Charitable Connections, Inc.  
 Applicant: Charitable Connections, Inc./Michelle R. Uchiyema

**NPU-H** **Council District 10**

**HELD**

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-O-0824 ( 3)      An Ordinance by Zoning Committee to amend Section 6-4028 and to create Section 6-4028.1 of the Land Development Code, Part III of the Code of Ordinances, so as to change the Deferral Fee for Variance and Special Exception Applications before the Board of Zoning Adjustment to a flat fee for each instance that the Board grants an applicant's request for deferral to a subsequent public hearing on the application; and for other purposes. **(Held 6/15/11) (To be Advertised for a Public Hearing)**

**HELD**

- 11-O-0692 ( 4)  
**U-11-16**      An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from the **544 North Angier Avenue, NE** (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

**HELD**

- 11-O-0693 ( 5)  
**U-11-17**      An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023(2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc. (Recipient Parcel) its successors, assigns and all subsequent owners and are to be transferred from **641 (aka 665) North Avenue, NE** (Perlman Tract) (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

**HELD**

- 11-O-0857 ( 6)  
**U-11-18**      An **Amended** Ordinance by Zoning Committee granting a Special Use Permit pursuant to Section 16-28.023 (2)(c)(3) and Section 16-28.027 (3)(c) of the City of Atlanta Zoning Ordinance for a Transfer of Excess Development Rights. Said use is granted to Atlanta BeltLine, Inc., (Recipient Parcel) its successors, assigns and all subsequent owners

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**E. PAPERS HELD IN COMMITTEE (CONT'D)**

and are to be transferred from the **690 Morgan Street, NE. (a.k.a. 0 North Avenue Tax Parcel Identification 14-0018-0001-026-5)**, (Donor Parcel). **(Referred back by Full Council 7/18/11) (Held 7/27/11)**

**HELD**

**11-O-0533 ( 7)  
Z-11-12**

An Ordinance by Councilmember Natalyn Mosby Archibong **as substituted by Zoning Committee** to amend Chapter 32B NC-2 East Atlanta Village Neighborhood Commercial District of the 1982 Zoning Ordinance of the City of Atlanta Code of Ordinances for the purpose of adding specific regulations; and for other purposes. **(Held 9/28/11)**

**HELD**

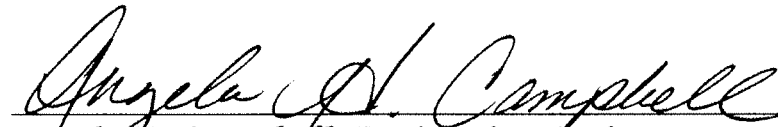
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**LINK TO ZRB PENDING LEGISLATION**

<http://citycouncil.atlantaga.gov/2011/pendingzrb.htm>

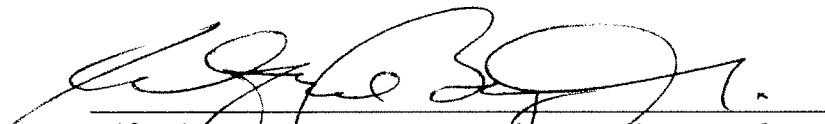
**There being no further business to come before the Zoning Committee the meeting was adjourned at 9:45 a.m.**

**Respectfully submitted:**



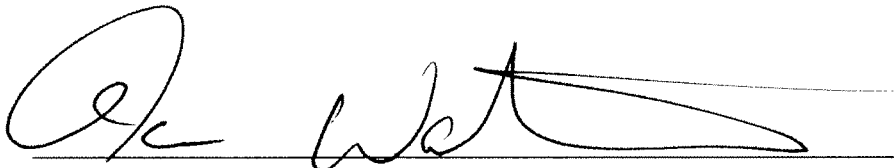
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**Angela H. Campbell, Legislative Assistant**



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**Alfred Berry Jr., Research & Policy Analyst**



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**The Honorable Aaron Watson, Chair**